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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,095

06/11/2002

Chih-Wei Hung

9068-US-PA

7113

31561

7590

06/21/2004

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE

7 FLOOR-1, NO. 100

ROOSEVELT ROAD, SECTION 2

TAIPEI, 100

TAIWAN

EXAMINER

MUNSON, GENE M

ART UNIT

PAPER NUMBER

2811

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/84,095

Applicant(s)

C. HUNG

Examiner

G. MUNSON

Group Art Unit

2811

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☒ Responsive to communication(s) filed on 22 October 2002  
2 September 2003, and decision on petition  
dated 12 May 2004
- ☐ This action is **FINAL**.

- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-7 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-7 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

Claims 1-7 are rejected under 35 USC 112, second paragraph. In claim 1, acronyms such as "CMOS" are ambiguous for a claim; it is suggested to use "complementary metal oxide semiconductor (CMOS)" at the first instance for clarity, if that is the scope intended. The scope of "buried contact" relative to "contact" is unclear absent claiming the structure that buries the contact. In claim 4, the conductivity type of the source region does not have a clear antecedent. In claim 6, "type" is omitted between "second" and "conductivity".

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 USC 103 as unpatentable the evidence being He et al, Chen et al '263 and Rhodes '915, all considered together. For an image device pixel as in Chen et al (Figure 1C), with the photodiode and reset transistor as in He et al (Figure 2), it would have been obvious to use a "contact" 320 as in Rhodes, in order to connect the "source" region 201 of the reset transistor as in He et al to the gate of a source follower as in Rhodes and Chen et al. The "photodiode sensing" region reads on a photodiode region 103 as in He et al. The "isolation structure" reads on a field oxide FOX as in He et al and field oxide 132 as in Rhodes, which would have been obvious to use for isolation.

Application/Control Number: 10/064,095  
Art Unit: 2811

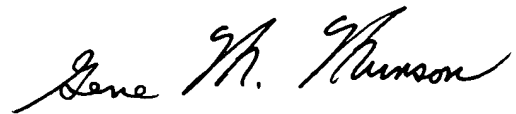
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The other references are cited of interest in also showing use of "CMOS image sensor" devices.

No claim is allowed.

Munson/ds  
(571) 272-1659

06/15/04

A handwritten signature in cursive script that reads "Gene M. Munson".

GENE M. MUNSON  
EXAMINER  
GROUP ART UNIT 2811